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Contents -

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Domestic Violence

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Introduction

One reason for the increase in legal awareness of domestic violence is that there are now many research reports that evidence the link between violence and mental illness. The stigma encountered by individuals with psychiatric disorders lowers their self-esteem, contributes to disrupted family relationships, and adversely affects their ability to socialize, obtain housing, and become employed (Wahl, 1999). This association of mental illness with violence is apparently increasing. Violence includes murder and manslaughter, the principal offences under the English statute of Offences against the Person Act 1861. Other examples of domestic violence are of violence against children other than sexual offences and kidnapping. Multiple studies have demonstrated that individuals with psychiatric disorders who are being inadequately treated, or not treated at all, are more likely to be violent than the general population (Yesavage, 1982; Taylor, 1985; Smith, 1989; Bartels et al., 1991; Link et al., 1992; Modestin and Ammann, 1996; Kasper et al., 1997; Swanson et al., 1997; Swartz et al., 1998; Taylor et al., 1998; Arango et al., 1999).

Legislation

In 2004 the UK government passed the Domestic Violence, Crime and Victims Act. This compares poorly with the United States where domestic violence laws were passed by way of the 1963 Illinois Code of Criminal Procedure (Hearsay) 725 ILCS 5/115-10.2; the Illinois Domestic Violence Act of 1986; the New Jersey Definition of Domestic Violence, NJSA 2C:25-19; and the United States federal law passed in 1994, Violence against Women Act 42 USC 10418, for instance.

Newer legislation that addresses domestic violence in the UK includes the Safeguarding Vulnerable Groups Act 2006 which goes some way in complying with the European Convention on the exercise of Children's Rights 1996, Article 4 of which obliges Member States parties to take all appropriate legislative and other measures for the implementation of the rights recognized in the Convention. This 1996 Convention deals with the whole range of family proceedings affecting children and taking place before a judicial authority

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